

TEMPORARY

No. 71253-T

TEMPORARY

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAY 26 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 17 1990 under 55534

The applicant **South Meadows Properties, a limited partnership, c/o Washoe County, a political subdivision of the State of Nevada** hereby makes application for permission to change the **Point of Diversion, Manner of use and Place of use of a portion of water** heretofore appropriated under **Claim 719 of the final decree titled "In the District Court of the United States in and for the District of Nevada in Equity Docket No. A3, the United States of America Plaintiff, vs. Orr Ditch Company, et al., Defendants."**

1. The source of water is **Thomas Creek**
2. The amount of water to be changed **282.43af**
3. The water to be used for **Storage**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **SE¼ NW¼ Section 4, T.18N., R.20E., M.D.B.&M., or at a point from which the NW corner of said Section 4 bears N. 57°24'41" W., a distance of 3,050.064 ft.**
6. The existing permitted point of diversion is located within **SE¼ SW¼ Section 7, T.18N., R.20E., M.D.B.&M., or at a point from which the center of Section 8, T.18N., R.20E., M.D.B.&M., bears N. 70°30'00" E., a distance of 6,550.0 feet(same as decreed point of diversion).**
7. Proposed place of use **To be determined under secondary permits. Storage reservoir is located within the NW¼ Section 4, T.18N., R.20E., M.D.B.&M., and the SW¼ Section 33 T.19N., R.20E., M.D.B.&M.**
8. Existing place of use **3.38 acres within the SW¼ NW¼; 40.0 acres within the SE¼ NW¼; 6.733 acres within the NW¼ NW¼; 25.20 acres within the NE¼ NW¼; all in Section 8, T.18N., R.20., M.D.B.&M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **as decreed** to of each year.
11. Description of proposed works **Headgates, ditches and pipelines to dam and reservoir constructed under Permit J-325.**
12. Estimated cost of works **\$15,000,000.00**
13. Estimated time required to construct works **Completed under Orr Ditch Decree, Permit 55534 and Permit J-325.**

14. Estimated time required to complete the application of water to beneficial use To be determined under secondary permit.

15. Remarks: This application is intended to be a "Temporary Primary Permit for Storage" with the actual beneficial use of water to be determined under secondary permits. Said secondary permits are issued subject to the terms of this primary permit and will expire according to said terms. Please refer to map filed under Permit 55534 for the proposed point of diversion. This temporary application replaces a series of temporary permits, the last being Permit 69441T.

By s/Mary June
Washoe County Dept. of Water Resources
4930 Energy Way, Reno, NV 89502

Compared sg/sam ag/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of Thomas Creek as heretofore granted under Claim No. 719 of the Truckee River Decree, is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. This temporary permit is issued for the consumptive use portion only of the original Truckee River Decree rights (Claim 719) that being 2.5 acre-feet annually per acre, the remaining portion of the claim will go to make up downstream rights. Water measuring devices and totalizing meters must be installed and accurate records must be kept of the water diverted and placed into storage. A substantial measuring device must be installed and accurate records must be kept of the water flowing in Thomas Creek prior to its commingling with other drainages.

A monthly report of the water diverted and placed into storage must be submitted to the State Engineer and Federal Water Master on a monthly basis within 15 days after the end of each month.

This temporary permit is issued subject to the regulation of the irrigation season as established by the Federal Water Master.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **September 14, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.854 cubic feet per second, but not to exceed 184.95 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

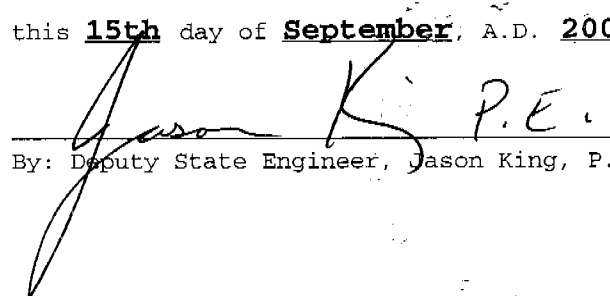
Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 15th day of September, A.D. 2004

 P.E.
By: Deputy State Engineer, Jason King, P.E.

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